

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	CRIMINAL ACTION NO.
v.	:	1:02-cr-0730-AT-14
	:	
JULIO RAMOS,	:	
	:	
Defendant.	:	

ORDER

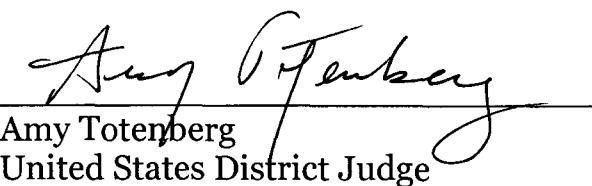
This matter is before the Court on the Magistrate Judge's Report and Recommendation as to Defendant Julio Ramos's motion to dismiss the indictment [Doc. 755]. In his motion filed on August 22, 2016, Defendant Ramos seeks to dismiss Counts 1 and 8 of the indictment for lack of subject matter jurisdiction [Doc. 744]. The Magistrate Judge determined that "the superseding indictment properly alleges federal subject matter jurisdiction" [Doc. 755 at 18]. The Magistrate Judge therefore recommends that this Court deny Defendant's motion to dismiss the indictment.

The Court notes that no objections have been filed in response to the Magistrate's Report and Recommendation. Therefore, in accordance with 28 U.S.C. § 636(b)(1) and Rule 59 of the Federal Rules of Criminal Procedure, the

Court has reviewed the Magistrate Judge's Recommendation for clear error and finds none. Accordingly, the Court receives the Magistrate Judge's Report and Recommendation with approval and hereby **ADOPTS** the Report and Recommendation as the opinion of this Court. For the reasons stated in the Magistrate Judge's Report and Recommendation, the Court **DENIES** Defendant Ramos's motion to dismiss the indictment [Doc. 744].

This matter is set for trial on April 24, 2017 at 9:30 AM in Courtroom 2308. The pretrial conference is set for Thursday, April 13, 2017, at 10:30 AM. By 3:00 PM on March 30, 2017, the parties are to file the following: motions in limine and proposed voir dire questions. By 3:00 PM on March 30, 2017, the Government must file a brief summary of the indictment that the parties can rely on for voir dire. By 3:00 PM on April 6, 2017, the parties are to file any objections to those items listed above.

It is so **ORDERED** this 6th day of February, 2017.



Amy Totenberg
United States District Judge